

**CLAIM AMENDMENTS****Claims pending:**

- At time of the Office Action: Claims 1-33.
- After this Response: Claims 2, 4-22 and 30-33.

**Canceled claims:** 1, 3, and 23-29, without prejudice.

**Amended claims:** 2, 4, and 5.

**New Claims:** None.

The listing of claims below will replace prior versions of claims in the application:

1. Canceled.

2. (Currently Amended) A method comprising:

receiving a request to tune a first channel;

assigning a first tuner to tune the first channel;

receiving a request to tune a second channel;

assigning the first tuner to tune the second channel if the program tuned by the first tuner is not being recorded; and

assigning a second tuner to tune the second channel if the program tuned by the first tuner is being recorded ~~A method as recited in claim 1,~~ wherein assigning a second tuner to tune the second channel includes determining whether a second tuner is available for tuning.

3. Canceled.

4. (Currently Amended) A method comprising:

receiving a request to tune a first channel;

assigning a first tuner to tune the first channel;

receiving a request to tune a second channel;

assigning the first tuner to tune the second channel if the program tuned by the first tuner is not being recorded;

assigning a second tuner to tune the second channel if the program tuned by the first tuner is being recorded; and ~~A method as recited in claim 1, further comprising~~

assigning a third tuner to tune the first channel if the first tuner is unable to tune the first channel.

5. (Currently Amended) A method comprising:

receiving a request to tune a first channel;

assigning a first tuner to tune the first channel;

receiving a request to tune a second channel;

assigning the first tuner to tune the second channel if the program tuned by the first tuner is not being recorded;

assigning a second tuner to tune the second channel if the program tuned by the first tuner is being recorded; and A method as recited in claim 1, further comprising

assigning a third tuner to tune the second channel if the second tuner is unable to tune the second channel.

6. (Original) A method comprising:

receiving a request to tune a particular channel;

determining whether a second tuner is available for tuning;

assigning a first tuner to tune the particular channel if the program currently tuned by the first tuner is not being recorded; and

assigning the second tuner to tune the second channel if the second tuner is available for tuning and the program currently tuned by the first tuner is being recorded.

7. (Original) A method as recited in claim 6, further comprising assigning the first tuner to tune the particular channel if the second tuner is not available for tuning.

8. (Original) A method as recited in claim 6, further comprising assigning a third tuner to tune the particular channel if the first tuner and the second tuner are not available to tune the particular channel.

9. (Original) A method as recited in claim 6, wherein determining whether a second tuner is available for tuning includes a first tuner querying the second tuner.

10. (Original) A method comprising:  
receiving a request to record a program on a first channel;  
assigning a first tuner to tune the first channel;  
receiving a request to tune a second channel;  
determining whether the second channel is already being tuned;  
determining whether a second tuner is available for tuning;  
assigning the first tuner to tune the second channel if the second channel is not already being tuned and the second tuner is not available for tuning; and  
assigning the second tuner to tune the second channel if the second channel is not already being tuned and the second tuner is available for tuning.

11. (Original) A method as recited in claim 10, further comprising switching to the tuner assigned to the second channel if the second channel is already being tuned.

12. (Original) A method as recited in claim 10, further comprising assigning a third tuner to tune the first channel if the first tuner is not available to tune the first channel.

13. (Original) A method as recited in claim 10, wherein determining whether a second tuner is available for tuning includes querying the second tuner to determine the status of the second tuner.

14. (Original) A method comprising:  
receiving a request to record a program on a first channel;  
assigning a first tuner to tune the first channel;  
receiving a request to tune a second channel;  
assigning a second tuner to tune the second channel if the second tuner is available for tuning;  
receiving a request to tune the first channel;  
switching to the first tuner; and  
displaying an indicator that the user is now watching a recorded program.

15. (Original) A method as recited in claim 14, wherein the recorded program data from the first channel is associated with the first tuner.

16. (Original) A method as recited in claim 14, further comprising changing the status of the second tuner to an available state.

17. (Original) A method as recited in claim 14, further comprising assigning the second tuner to tune the first channel if the first tuner is not available to tune the first channel.

18. (Original) A method as recited in claim 17, wherein the recorded program data associated with the first tuner is modified to be associated with the second tuner if the first tuner is not available to tune the first channel.

19. (Original) A method as recited in claim 17, wherein a new set of recorded program data is generated and associated with the second tuner.

20. (Original) A method as recited in claim 14, wherein the method is performed by a set top box.

21. (Original) A method as recited in claim 14, wherein switching to the first tuner includes displaying the program content currently being tuned by the first tuner.

22. (Original) A method as recited in claim 14, wherein switching to the first tuner includes displaying previously recorded program content if the first tuner has been recording the tuned content.

23 - 29. Canceled.

30. (Original) One or more computer-readable media having stored thereon a computer program that, when executed by one or more processors, causes the one or more processors to:

receive a request to tune a first channel;

assign a first tuner to tune the first channel;

receive a request to tune a second channel;

determine whether a second tuner is available for tuning;

assign the first tuner to tune the second channel if the second tuner is not available for tuning; and

assign the second tuner to tune the second channel if the second tuner is available for tuning.

31. (Original) One or more computer-readable media as recited in claim 30, wherein the second tuner is queried for a status of the second tuner to determine whether the second tuner is available for tuning.

32. (Original) One or more computer-readable media as recited in claim 30, further causing the one or more processors to assign a third tuner to tune the second channel if the first tuner and the second tuner are not available to tune the second channel.

33. (Original) One or more computer-readable media as recited in claim 30, further causing the one or more processors to display an indicator if the second channel is being recorded.